

Image  
1632

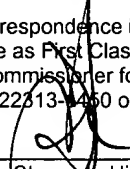
## FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

SHIGHLANDER@FULBRIGHT.COM  
PARTNER  
DIRECT DIAL: (512) 536-3184

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

December 23, 2003

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:	
December 23, 2003 Date	 Steven L. Highlander

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-01450

Re: Serial Number 09/558,472 entitled "DIAGNOSIS AND TREATMENT OF MYOCARDIAL FAILURE" by Michael Bristow et al.  
Our ref: MYOG:004USD1 / Matter No. 10014732


Commissioner:

Enclosed for filing in the above-referenced patent application is:

1. Response to Notice of Non-Compliant Amendment and Amendment and Request for Reconsideration Under 37 C.F.R. § 1.111 and
4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/MYOG:004USD1.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642

SLH/jle

25369429.1



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Michael BRISTOW *et al.*

Serial No.: 09/558,472

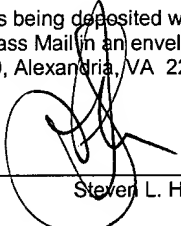
Filed: April 25, 2000

For: DIAGNOSIS AND TREATMENT OF  
MYOCARDIAL FAILURE

Group Art Unit: 1632

Examiner: T. Ton

Atty. Dkt. No.: MYOG:004USD1

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December 23, 2003 Date	 Steven L. Highlander

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND**

**AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-01450

Dear Sir:

This is in response to the Office Action mailed on March 21, 2003, and the Notice of Non-Compliant Amendment mailed on December 4, 2003 regarding the above-captioned application. No fees are believed due in connection with this filing. However, should any fees be due for any reason, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Acct. No. 55-1212/MYOG:004USD1. Consideration of this case in view of

the amendments made herein is respectfully requested.

**Amendments to the claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 4 of this paper.